

FORM PTO-1390  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

11137/04704

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/890167

INTERNATIONAL APPLICATION NO.

PCT/US00/02366

INTERNATIONAL FILING DATE

28 January 2000 (28.01.00)

PRIORITY DATE CLAIMED

29 January 1999 (29.01.99)

TITLE OF INVENTION

TRANSGENIC PLANTS MODIFIED TO CONTAIN RESVERATROL GLUCOSIDE AND USES THEREOF

APPLICANT(S) FOR DO/EO/US

PAIVA, Nancy L. and HIPSKIND, John D.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Verified Statement (Déclaration) Claiming Small Entity Status; Statement Under 37 C.F.R. 1.825(a)-(b) and PCT Rule 13ter.2

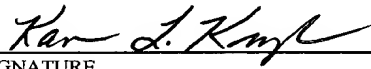
EXPRESS MAIL NO. EL589917112US DATE OF DEPOSIT 27 July 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231 on 27 July 2001 (Date of Deposit)

page 1 Derrick Gordon (Name of Depositor)

(Signature)

Date of Signature: 27 July 2001

U.S. APPLICATION NO. <b>09/890167</b> INTERNATIONAL APPLICATION NO. PCT/US00/02366		ATTORNEY'S DOCKET NUMBER 11137/04704	
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1000.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00 <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<b>CALCULATIONS PTO USE ONLY</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 860.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	103 - 20 =	83	x \$18.00
Independent claims	9 - 3 =	6	x \$80.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>			\$ 3104
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			+ \$ 1552
<b>SUBTOTAL =</b>			\$ 1552
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$
<b>TOTAL NATIONAL FEE =</b>			\$ 1552
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +			\$ 80
<b>TOTAL FEES ENCLOSED =</b>			\$ 1632
			Amount to be refunded: \$
			charged: \$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.  b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>18-1260</u> in the amount of \$ <u>1632.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.  c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>18-1260</u> . A duplicate copy of this sheet is enclosed.  d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card</b> <b>information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.			
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</b>			
SEND ALL CORRESPONDENCE TO: Eugenia S. HANSEN Sidley Austin Brown & Wood 717 N. Harwood, Suite 3400 Dallas, Texas 75201 United States of America		 SIGNATURE  Karen L. KNEZEK NAME  <u>39,253</u> REGISTRATION NUMBER	

09890167-072001